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November 24, 2003

The Honorable Benson E. Legg  
United States District Court  
for the District of Maryland  
101 West Lombard Street  
Baltimore, Maryland 21201

Re: Civil No.: B-01-103  
Garcia, et al v. Kirstien, et al.

Dear Judge Legg:

This letter is in response to the Court's Memorandum Order of November 17, 2003. Defendants Kirstien and Rothstein are in possession of a large number of documents which had to be retrieved and carefully reviewed for the document production in order to exclude privileged documents. However, we have made a good faith effort to accomplish as much of the discovery as possible as follows:

(i) Defendants, Kirstien and Rothstein have completed review of their voluminous files and Plaintiffs have had an opportunity to inspect and copy the files in response to Plaintiff's request for production of documents. Defendants Kirstien and Rothstein were not served with discovery by Defendant Habeck, however, the documents will be made available to Defendant Habeck if his counsel would like to inspect them.

(ii) Plaintiff provided answers to interrogatories to the Defendants Kirstien and Rothstein on April 17, 2003. Defendants Kirstien and Rothstein forwarded answers to interrogatories to the Plaintiff on August 18, 2003.

(iii) No depositions have been scheduled. Now that the document production is complete, Defendants Kirstien and Rothstein will be able to determine which non-party depositions are necessary and will be able to schedule party and non-party depositions. At the present, we do not anticipate non-party depositions.

(iv) No experts have yet been identified or deposed, however, now that written discovery is completed, a determination can be made whether experts are required. In addition, the documents are now available for each party's experts to aid in the preparation of expert reports.

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Unfortunately, my clients have been distracted with other pressing business matters for the last six months, which have only recently been resolved. They are able to now devote the appropriate time and attention to this matter. Despite circumstances beyond their control, however, they have made a good faith effort to complete the discovery. The extension sought will provide us sufficient time to complete discovery and timely file dispositive motions.

Should the Court require any additional information, or have any questions, please feel free to contact me.

Very truly yours,

*/s/ Craig D. Roswell*

Craig D. Roswell  
Counsel for Defendants,  
Ronald Kirstien and Harvey Rothstein

CDR/ss

cc: David F. Albright, Esquire  
Patrick J. Kearney, Esquire